

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RCE #  
PATENT APPLICATION  
166

In re: PATENT APPLICATION of:

Inventor(s): Brams, Peter

Appln. No.: 09 805,217

Series Code ↑ Serial No. ↑

Filed: March 14, 2001

Title: ANTIBODIES THAT BIND PHOSPHATIDYL  
SERINE AND A METHOD OF THEIR USE

Group Art Unit 1642

Examiner: Helms, Larry Ronald

Atty. Dkt. P 037003 0279190

M# Client Ref

R  
RCE  
EDO NOT USE FOR PROVISIONAL,  
DIVISIONAL, CIP OR DESIGN  
APPLICATIONS, OR REEXAMINATION OF  
PATENTSHon. Commissioner of Patents  
Washington, D.C. 20231

Date: April 7, 2003

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114**

Please continue the examination of this application.

**PREREQUISITES**This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.An issue fee **has not been** paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).**Prosecution has been closed as defined in Rule 114(b).****Reply to any outstanding action must be enclosed or previously filed.**

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

**Please consider the following before the next Official Action:**

1. Please ☒ enter ☐ do not enter the Amendment filed January 12, 2003 (copy enclosed)
2. ☐ The enclosed new Amendment
3. ☐ Consider the arguments in the appeal brief filed \_\_\_ and reply brief filed
4. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
5. ☐ The enclosed Information Disclosure Statement  
☐ IDS Letter ☐ Cited Appln ☐ Foreign Search Report/OA  
☐ PTO-1449 ☐ Cited Documents
6. ☐ Please suspend action under Rule 103(c) for a period of \_\_\_ months (3 mos. Max) for which charge the required \$130 fee (fee code 098) to our Deposit Account (see below).
7. Petition is hereby made to extend the original due date of March 12, 2003 to  
cover the date this Request is filed. PLEASE CHARGE the requisite fee to our  
Deposit Account (see below)

(1 mo)	\$110/\$55
(2 mos)	\$410/\$205 + 110
(3 mos)	\$930/\$465
8. PLEASE CHARGE the Rule 17(e) (RCE) filing fee of ☒ \$750 (lg. ent.) ☐ \$375 (sm. ent.) plus any deficiency and any other fee due now or later to our Deposit Account No. 03-3975 under Order No. 037003 / 0279190

**NOTE: Rule 17(e) filing fee Cannot be deferred!**  
**NO CLAIMS FEE REQUIRED** unless you are adding claims by box 2 Amendment in which case cover this with PAT-120.

04/09/2003 CV0111 00000055 033975 09805217

C# M#

01 FC:1801 750.00 CH

Pillsbury Winthrop LLP  
Intellectual Property GroupP.O. Box 10500  
McLean, VA 22102

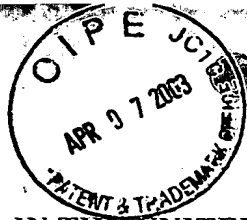
By Atty: Thomas A. Cawley, Jr.

Reg. No. 40,944

(703) 905-2000  
Atty/Sec: TAC/af

Sig:

Fax: (703) 905-2500  
Tel: (703) 905-2144**NOTE: File this Request (plus enclosures, if any) in duplicate and with PTO receipt (PAT-103A)**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Peter Brams

Group Art Unit: 1642

Application No. 09/805,217

Examiner: L. Helms

Filed: March 14, 2001

Title: ANTIBODIES THAT BIND PHOSPHATIDYL SERINE AND A METHOD OF THEIR USE

**COPY**

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REPLY PURSUANT TO 37 CFR § 1.116

Hon. Commissioner of Patents  
Washington, D.C. 20231

Sir:

In response to the Final Office Action mailed on September 12, 2002, kindly amend the claims of the above-identified application as follows.

IN THE CLAIMS

Claims 29 and 35-38 are amended as shown below:

29. (Amended) An isolated unconjugated monoclonal antibody that specifically binds phosphatidyl serine and that induces complement dependent cell-mediated cytotoxicity against a human tumor cell that expresses phosphatidyl serine;

wherein the light chain V region of said antibody is also present in the light chain of an antibody that recognizes e-aminocaproic acid, and

wherein the heavy chain V region of said antibody is also present in the heavy chain of an antibody that recognizes p-azaphenylarsanate.

35. (Amended) The pharmaceutical composition of claim 34 wherein the monoclonal antibody is a primate antibody.